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IN THE CLAIMS:

The text of all pending claims (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~striketrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please CANCEL claim 14 without prejudice or disclaimer, and AMEND claims 1 and 8-9 in accordance with the following:

1. (currently amended) A network server load detection method comprising:
monitoring a communication between a client and a server, the communication being
from ~~thea~~ client to ~~thea~~ server, and the communication including at least one connection having
a communication data size;

detecting a change in the communication data size of the connection of the client and
server;

recording a maximum size value of the communication data size; and

judging, if the detected change of the communication data size of the connection
decreases below a predetermined proportion of the recorded maximum size value, that said
server is under a high load.

2. (previously presented) A network server load detection method according to
claim 1, further comprising counting a number of connections including the at least one
connection and the communication data size until a monitored count of communications reaches
a monitored communication minimum count and until a count time reaches a monitor minimum
time.

3. (previously presented) A network server load detection method according to
claim 1, further comprising recognizing communications of a start and end of the connection,
and excluding communication data sizes of the start and end of the connection from the
calculated load.

4. (previously presented) A network server load detection method according to
claim 1, further comprising:

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retaining information of the communication of the start of connection till the connection is ended or established;

detecting the communication of the start of connection for re-connection executed when judging that said client fails to connect on the basis of the information retained; and

setting a rate at which the communication of the re-connection occupies the number of the communications of the start of connection as a load of said server and, if this rate is high, judging that said server is under the high load.

5. (previously presented) A network server load detection method according to claim 1, further comprising:

obtaining a distribution of the communication data sizes from said clients;

distinguishing between extremely small pieces of communication data unrelated to the load of said server from the communication data size distribution; and

eliminating the extremely small pieces of communication data from the judgement about the load.

6. (previously presented) A network server load detection method according to claim 1, further comprising:

obtaining a sequence number from the communication to said server from said client;

retaining a maximum value of the sequence number till the connection is ended since the start of connection;

comparing the sequence number of the communication received with the sequence number retained; and

excluding, if the sequence number obtained from the communication is smaller than the sequence number retained, this communication from counting.

7. (previously presented) A network server load detection method according to claim 6, further comprising:

counting, if the sequence number obtained from the communication is smaller than the sequence number retained, the communication data after executing a weighting process thereon, or predicting a communication data-size when there is no problem on a route from the two sequence numbers, and counting the predicted data size for detecting the load.

8. (currently amended) A network server load detection method comprising:

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monitoring a communication between a server and a client, the communication being to a client from the server to the client, and counting a receivable data size and a connection count of which said server notifies said client;

obtaining the receivable data size per connection as a server load;

storing a maximum value of the receivable data size per connection, and judging, if the receivable data size per connection becomes small with respect to the maximum value, that said server is under a high load.

9. (currently amended) A network server load detection system for monitoring a communication between a client and a server, the communication being from the server to a client to the server, and detecting a load state of said server, comprising:

data size calculating means for calculating a size of communication data per connection;

storage means for detecting a change in the communication data size per connection of the client and server, and storing a maximum value; and

load detection means for detecting a high load of said server when the detected change of the communication data size per connection at that point of time becomes smaller than a predetermined proportion of the maximum value.

10. (cancelled)

11. (cancelled)

12. (cancelled)

13. (cancelled)

14. (cancelled)